

STATE OF MICHIGAN  
COURT OF APPEALS

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

PHILLIP WILLIAM JOUSMA,

Defendant-Appellant.

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UNPUBLISHED

July 29, 2003

No. 239475

Kent Circuit Court

LC No. 00-000462-FH

Before: Zahra, P.J., and Talbot and Owens, JJ.

MEMORANDUM.

Defendant appeals as of right from jury convictions of felonious assault, MCL 750.82, and possession of a firearm during the commission of a felony, MCL 750.227b, for which he was sentenced to terms of six months in jail and two years in prison, respectively. We affirm.

Defendant's sole claim on appeal is that the evidence was insufficient to sustain the verdict. Defendant does not challenge the sufficiency of the evidence as it relates to the elements of the offenses, which we note was in fact sufficient to prove the elements of both crimes beyond a reasonable doubt. *People v Counts*, 318 Mich 45, 53-54; 27 NW2d 338 (1947); *People v Avant*, 235 Mich App 499, 505-506; 597 NW2d 864 (1999). Rather, defendant contends that the witnesses' testimony was too inconsistent and contradictory to be believed. The issue of witness credibility "is for the jury to decide and we will not resolve credibility issues anew on appeal." *People v Milstead*, 250 Mich App 391, 404; 648 NW2d 648 (2002). Given that plus the fact that witness credibility is a matter of weight, not sufficiency, of the evidence, *People v Scotts*, 80 Mich App 1, 9; 263 NW2d 272 (1977), we find defendant's claim to be without merit.

Affirmed.

/s/ Brian K. Zahra

/s/ Michael J. Talbot

/s/ Donald S. Owens